

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CT-3019-D

GREGORY L. CANNON,

Plaintiff,

v.

DIRECTOR OF FEDERAL,
BUREAU OF PRISONS, et al.,

Defendants.

ORDER


On June 27, 2019, Magistrate Judge Numbers issued a Memorandum and Recommendation (“M&R”) and recommended that the court deny without prejudice plaintiff Gregory L. Cannon’s (“Cannon”) motion for a temporary restraining order prohibiting the Bureau of Prisons from transferring him to another facility [D.E. 28]. Cannon did not object to the M&R.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 28].

In sum, the court ADOPTS the conclusions in the M&R [D.E. 28] and DENIES plaintiff's motion [D.E. 4] without prejudice. The court also GRANTS the motion for an extension of time to answer the complaint [D.E. 30]. All defendants shall have until October 1, 2019 to answer or otherwise respond to the complaint.

SO ORDERED. This 5 day of August 2019.



JAMES C. DEVER III
United States District Judge